

§ 51.903 How do the classification and attainment date provisions in section 181 of subpart 2 of the CAA apply to areas subject to § 51.902(a)?

(a) In accordance with section 181(a)(1) of the CAA, each area subject to § 51.902(a) shall be classified by operation of law at the time of designation. However, the classification shall be based on the 8-hour design value for the area, in accordance with Table 1 below, or such higher or lower classification as the State may request as provided in paragraphs (b) and (c) of this section. The 8-hour design value for the area shall be calculated using the three most recent years of air quality data. For each area classified under this section, the primary NAAQS attainment date for the 8-hour NAAQS shall be as expeditious as practicable but not later than the date provided in the following Table 1.

fication as the State may request as provided in paragraphs (b) and (c) of this section. The 8-hour design value for the area shall be calculated using the three most recent years of air quality data. For each area classified under this section, the primary NAAQS attainment date for the 8-hour NAAQS shall be as expeditious as practicable but not later than the date provided in the following Table 1.

TABLE 1—CLASSIFICATION FOR 8-HOUR OZONE NAAQS FOR AREAS SUBJECT TO § 51.902(A)

| Area class | | 8-hour design value (ppm ozone) | Maximum period for attainment dates in state plans (years after effective date of nonattainment designation for 8-hour NAAQS) |
|-----------------|--------------------------|---------------------------------|---|
| Marginal | from | 0.085 | 3 |
| | up to ¹ | 0.092 | |
| Moderate | from | 0.092 | 6 |
| | up to ¹ | 0.107 | |
| Serious | from | 0.107 | 9 |
| | up to ¹ | 0.120 | |
| Severe-15 | from | 0.120 | 15 |
| | up to ¹ | 0.127 | |
| Severe-17 | from | 0.127 | 17 |
| | up to ¹ | 0.187 | |
| Extreme | equal to | 0.187 | 20 |
| | or above | | |

¹ but not including.

(b) A State may request a higher classification for any reason in accordance with section 181(b)(3) of the CAA.

(c) A State may request a lower classification in accordance with section 181(a)(4) of the CAA.

§ 51.904 How do the classification and attainment date provisions in section 172(a) of subpart 1 of the CAA apply to areas subject to § 51.902(b)?

(a) *Classification.* The Administrator may classify an area subject to § 51.902(b) as an overwhelming transport area if:

- (1) The area meets the criteria as specified for rural transport areas under section 182(h) of the CAA;
- (2) Transport of ozone and/or precursors into the area is so overwhelming that the contribution of local emissions to observed 8-hour ozone concentration above the level of the NAAQS is relatively minor; and
- (3) The Administrator finds that sources of VOC (and, where the Administrator determines relevant, NO_x)

emissions within the area do not make a significant contribution to the ozone concentrations measured in other areas.

(b) *Attainment dates.* For an area subject to § 51.902(b), the Administrator will approve an attainment date consistent with the attainment date timing provision of section 172(a)(2)(A) of the CAA at the time the Administrator approves an attainment demonstration for the area.

§ 51.905 How do areas transition from the 1-hour NAAQS to the 1997 8-hour NAAQS and what are the anti-backsliding provisions?

(a) *What requirements that applied in an area for the 1-hour NAAQS continue to apply after revocation of the 1-hour NAAQS for that area?—(1) 8-Hour NAAQS Nonattainment/1-Hour NAAQS Nonattainment.* The following requirements apply to an area designated nonattainment for the 8-hour NAAQS and designated nonattainment for the 1-